

DEC 02 2004

By: \_\_\_\_\_  
Deputy  
**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION****JON E. KINZENBAW and KINZE  
MANUFACTURING, INC.,****Plaintiffs/Counterclaim-  
Defendants,**

vs.

**CASE, LLC, f/k/a CASE  
CORPORATION and NEW HOLLAND  
NORTH AMERICA, INC.,****Defendants/Counterclaim-  
Plaintiffs.**

No. C01-133-LRR

**VERDICT FORM**

We the jury unanimously find the following verdict on the questions submitted to us:

Question No. 1. Has Case infringed one or more of the following Claims of the '168 Patent ?

<u>Claim</u>	<u>Infringement</u>
Claim 1	Yes _____ No <u>X</u>
Claim 2	Yes _____ No <u>X</u>
Claim 3	Yes _____ No <u>X</u>
Claim 9	Yes _____ No <u>X</u>
Claim 22	Yes _____ No <u>X</u>

**Question No. 2.** Are the following Claims of the '168 Patent invalid for any of the following reasons? Place an "X" in the box for the ground(s) of invalidity, if any, you find for each claim.

	<u>Anticipation</u>	<u>Obviousness</u>	<u>Indefiniteness</u>	<u>Lack of Enablement</u>	<u>Lack of Written Description</u>
Claim 1					
Claim 2			Not Applicable	Not Applicable	Not Applicable
Claim 3			Not Applicable	Not Applicable	Not Applicable
Claim 9			Not Applicable	Not Applicable	Not Applicable
Claim 22					

**Question No. 3.** Is Claim 2 of the '168 Patent invalid on the ground that it does not add a further limitation to Claim 1?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you found none of the Claims of the '168 Patent was infringed in response to Question No. 1 or if you found each of the infringed Claims of the '168 Patent invalid in response to Question No. 2, do not answer any further questions. Please sign and date this form.

If you found one or more of the Claims of the '168 Patent was infringed in response to Question No. 1 and you found the Claim infringed is not invalid, then answer Questions No. 4 and 5.

Question No. 4. What amount of damages, if any, do you find Kinze has sustained in each category of damages listed below as a result of Case's infringement of the '168 Patent?

Lost Profits \$ \_\_\_\_\_

Reasonable Royalty \$ \_\_\_\_\_

Total Damages \$ \_\_\_\_\_

Question No. 5. Do you find Case's infringement was willful?

Yes \_\_\_\_\_ No \_\_\_\_\_

Dated this 2<sup>nd</sup> day of December, 2004.